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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/071,021	05/01/1998	RICHARD FRANK BRUNO	20-21-26-22-	5065

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09/06/2005

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EXAMINER

TSEGAYE, SABA

ART UNIT PAPER NUMBER

2662

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/071,021

Applicant(s)

BRUNO ET AL.

Examiner

Saba Tsegaye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-15 and 17-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-15 and 17-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to the amendment filed 05/16/05. Claims 1-5, 7-15 and 17-26 are pending. Currently no claims are in condition for allowance.

Claim Rejections - 35 USC § 103

2. Claims 1-5, 7-15 and 17-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petrunka et al. (US 5,987,116) in view of Cave (US 5,958,014).

With regard to claims 1, 11, 14, 21, and 22, Petrunka discloses a method and system for connecting a call to one of a plurality of agents (1300) in a call center (1100), wherein the method comprises receiving a query from a plurality of telecommunications networks (fig. 3A; 3010, 3020), regarding whether at least one agent is available, among the plurality of agents, (column 2, lines 45-53); determining which available agent is to be connected based on the availability of the agent as well as a most idle agent criteria (column 5, lines 10-14; column 4, lines 3-8); responding to query with a connection information of a determined agent; and connecting the call to the determined agent (column 5, lines 14-17).

Petrunka fail to disclose receiving calls from at least two disparate telecommunications networks.

Cave teaches that PC 100 can access a server via a traditional telephone-switching network 102 or via Internet (see fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Petrunka's apparatus to receive calls from at least two disparate

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telecommunications network, as taught by Cave. The motivation is more integrated and efficient system that provides a common access database in combination with an automatic call distribution system (column 2, lines 7-20).

With regard to claims 2 and 12, Petrunka discloses that an availability entry is updated for the agent to indicate that the agent is unavailable when the call is connected to the agent, and to indicate that the agent is available when the call terminates (column 4, lines 24-27).

With regard to claims 3 and 13, Petrunka discloses the method wherein the step of responding to the query uses SS7 signaling for communicating with the telecommunications network from which the query was received (column 4, lines 42-50; column 5, lines 55-62).

With regard to claim 4, Petrunka discloses that the step of determining an availability includes determining the availability of each agent and selecting an agent, wherein the step of responding to the query includes determining routing instructions for routing the call from the telecommunications network through which the query was received to the selected agent (column 5, lines 10-23).

With regard to claims 5 and 15, Petrunka discloses the method wherein the routing instructions are determined based on one of a lowest cost criterion, a hierarchical criterion, an RTNR/Optimized routing criterion, a time of day, a day of the week, a call origination location, and a network congestion condition (column 2, lines 60-67).

Regarding claims 7 and 17, Petrunka discloses the method wherein at least one of the disparate telecommunications network is an NCP architecture network (see fig. 1).

Regarding claims 8 and 18, Petrunka discloses the method wherein the CP architecture network is a circuit-switched telecommunications network (see fig. 1).

With regard to claims 9, 10, 19 and 20, Petrunka in view of Cave discloses all the claim limitations as stated above except for the NCP architecture network is an ATM network. An ATM network is well known network types. It would have been obvious to one of ordinary skill in the art to modify Petrunka in view of Cave apparatus to receive calls from an ATM network in order to allow the system to benefit by using a well known, reliable type of network.

With regard to claims 23-26, Petrunka disclose the method wherein the connection information is a routing telephone number (ACD server instruct HLS to connect customer to the available agent 1300. Agent 1300 may use a number of different telephone line terminal to service customer calls (the telephone line terminals may include a standard telephone) (column 3, lines 1-3).

Response to Arguments

3. Applicant's arguments with respect to claims 1-5, 7-15 and 17-26 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (571) 272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ST
August 23, 2005


JOHN PEZZLO
PRIMARY EXAMINER